

Notice of Allowability

Application No.

10/813,059

Examiner

Duc C. Ho

Applicant(s)

SKALECKI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 3-31-04.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 7-27-07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER 'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kent Daniels on 07-27-07.

The application has been amended as follows:

In the claims:

Claim 1, line 3, after "network," , insert --- the end-to-end path traversing at least two intermediate node ---.

Claim 1, line 5, delete --- substantially ---.

Claim 2, line 2, delete --- substantially ---.

Claim 4 (Currently Amended) A method of downloading/undownloading a cross-connection through an intermediate node within an end-to-end path of a communications network, the path traversing at least two intermediate nodes, the method comprising steps of:

receiving a trigger message and a confirmation message;

upon receipt of the trigger message:

forwarding the trigger message to a next node of the path with minimum delay; and

initiating downloading/undownloading of the cross-connection; and

subsequently forwarding the confirmation message to the next node upon successful completion of downloading/undownloading the cross-connection;

whereby forwarding the trigger message and initiating a download/undownload process upon receipt of the trigger message, causes parallel cross-connection download/undownload processes in each intermediate node of the end-to-end path.

Claim 5 (Currently Amended) A node of a communications network, the node being operative in accordance with a program for downloading/undownloading a cross-connection through the node connected as an intermediate node within an end-to-end path of the communications network, the path traversing at least two intermediate nodes, the program executing in the node and controlling the node to:

receive a trigger message and a confirmation message;

upon receipt of the trigger message:

forward the trigger message to a next node of the path with minimum delay; and

initiate downloading/undownloading of the cross-connection between predetermined input and output ports of the node; and

subsequently forward the confirmation message to the next adjacent node upon successful completion of downloading/undownloading the cross-connection;

whereby forwarding the trigger message and initiating downloading/undownloading upon receipt of the trigger message, causes parallel cross-connection download/undownload processes in each intermediate node of the end-to-end path.

Reason for Allowance

2. Regarding claims 1-3, the prior art fails to teach or suggest a method of creating/terminating a connection associated with an end-to-end path defined through a communications network, the method comprising a step of triggering parallel cross-connection download/undownload (Note: The step of computing and establishing the cross-connection is referred to herein as “down-loading” the cross-connection. The reverse process, that is the removal be released for use by other connections, is referred to herein as “undownloading” the cross-connection) processes in each intermediate node of the end-to-end path, in combination with other limitations, as specified in the independent claim 1.

Regarding claim 4, the prior art fails to teach or suggest a method of downloading/undownloading a cross-connection through an intermediate node within an end-to-end path of a communications network, the path traversing at least two intermediate nodes, the method comprising steps of forwarding the trigger message to a next node of the path with minimum delay; whereby forwarding the trigger message and initiating a download/undownload process upon receipt of the trigger message, causes parallel cross-connection download/undownload processes in each intermediate node of the end-to-end path, in combination with other limitations, as specified in the independent claim 4.

Regarding claim 5, the prior art fails to teach or suggest a node of a communications network, the node being operative in accordance with a program for

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downloading/undownloading a cross-connection through the node connected as an intermediate node within an end-to-end path of the communications network, the path traversing at least two intermediate nodes, the program executing in the node and controlling the node to forward the trigger message to a next node of the path with minimum delay; whereby forwarding the trigger message and initiating a download/undownload process upon receipt of the trigger message, causes parallel cross-connection download/undownload processes in each intermediate node of the end-to-end path, in combination with other limitations, as specified in the independent claim 5.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read "Duc Ho", written over the printed name.

Duc Ho

07-27-07